

REMARKS

This is in response to the Office Action dated August 15, 2006. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

Upon entry of this amendment, claims 2, 3, 9-12 and 16-22 are all of the claims pending in the application. By this amendment, claims 9, 10 and 12 have been amended, and claim 22 has been added. No new matter has been added.

Initially, it is noted with appreciation that the Examiner has indicated that claims 16-21 have been allowed, and that claims 10-12 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the Office Action, claims 2, 3 and 9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. By this amendment, Applicants note that claim 9 has been amended so as to provide proper antecedent basis for the phrase "the cushion pin" in line 2 thereof. Accordingly, Applicants kindly request that the rejection be reconsidered and withdrawn.

In the Office Action, claims 2, 3 and 9 were also rejected under 35 U.S.C. 102(b) as being anticipated by Hirao et al. (U.S. Patent No. 5,735,201).

Regarding independent claim 9, Applicants note that this claim has been amended so as to recite the features of a pillar member, and an elastic material that is arranged coaxially with respect to the pillar member and produces a pushing force in an axial direction of the pillar

member. Applicants respectfully submit that Hirao does not disclose or suggest such a combination of features.

Regarding Hirao, Applicants note that this reference discloses a pressing machine 10 that includes a plurality of cushion pins 24 which are supported by a cushion platen 28 (see Fig. 1). As explained in Hirao, a plurality of balancing hydraulic cylinders 32 are provided on the cushion platen 28, wherein the lower ends of the cushion pins 24 are supported by piston rods of the respective balancing hydraulic cylinders 32 (see Fig. 1).

In the Office Action, the Examiner has taken the position that each of the balancing hydraulic cylinders 32 of Hirao corresponds to an elastic member because the hydraulic cylinders 32 perform a balancing function which equalizes the force acting on the cushion pins. Without acquiescing to such a position, in order to further distinguish the claims from Hirao, Applicants note that claim 9 has been amended by changing the phrase “elastic member” to “elastic material”.

Regarding the feature of an “elastic material”, Applicants respectfully submit that while the hydraulic balancing cylinders 32 of Hirao may function so as to equalize a force on the cushion pins, that the hydraulic balancing cylinders 32 themselves cannot be reasonably interpreted as an elastic material.

As such, Applicants respectfully submit that Hirao does not disclose, suggest or otherwise render obvious at least the above-noted feature recited in claim 9 of an elastic material that is arranged coaxially with respect to the pillar member and produces a pushing force in an axial direction of the pillar member.

In view of the foregoing, Applicants submit that claim 9 is patentable over Hirao, an indication of which is kindly requested. Claims 2, 3 and new claim 22 depend from claim 9 and are therefore considered patentable at least by virtue of their dependency.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

Kiyoji AOSHIMA et al.

By: Kenneth W. Fields
Kenneth W. Fields
Registration No. 552,430 for
Michael S. Huppert
Registration No. 40,268
Attorney for Applicants

KWF/MSH/kjf
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
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